

KEVIN V. RYAN (SBN 118321)
 United States Attorney
 JOANN M. SWANSON (SBN 88143)
 Chief, Civil Division
 EDWARD A. OLSEN (SBN 214150)
 Assistant United States Attorney

 450 Golden Gate Avenue, 9th Floor
 San Francisco, California 94102-3495
 Telephone: (415) 436-6915
 Facsimile: (415) 436-6927
 Email: edward.olsen@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

HARPAL S. CHEEMA,)	No. C 04-3869-SI
)	
Petitioner,)	STIPULATION TO VACATE COURT'S
)	ORDER GRANTING THE PETITION FOR
v.)	WRIT OF HABEAS CORPUS AND TO
)	DISMISS THE PETITION
MICHAEL CHERTOFF Secretary,)	
Department of Homeland Security, et al.,)	Hearing Date: January 26, 2007
)	Time: 9:00 a.m.
Respondents.)	
)	

The petitioner, by and through his attorney of record, and respondents, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to having this Court vacate its November 28, 2005 Order Granting the Petition for Writ of Habeas Corpus and dismiss the habeas petition, for the reasons stated in the respondents' Motion To Vacate Court's Order Granting The Petition For Writ of Habeas Corpus And To Dismiss The Petition. Moreover, the parties stipulate to vacating the January 26, 2007 hearing date.

Date: October 12, 2006

Respectfully submitted,

/s/
CHRISTOPHER FULLER
Office of Immigration Litigation
Department of Justice

KEVIN V. RYAN
United States Attorney

/s/
EDWARD A. OLSEN¹
Assistant United States Attorney
Attorneys for Respondents


Date: October 12, 2006

/s/
ROBERT B. JOBE
Law Office of Robert B. Jobe
Attorney for Petitioner

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date:



SUSAN ILLSTON
United States District Judge

¹I, Edward A. Olsen, attest that both Robert B. Jobe and I have signed this stipulation.